12/04 (A0243)

6.

MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDI SENTENCE BY A PERSON IN FEDERAL CUST

		PILEO MA LE DEM
E,	or	JUL   0 2012 CORRECT
re	DQL	ERK, U.S. DISTRICT COURT ALEXANDRIA, VINGINIA

United States District Court			
District Court	District	Eastern District	t of west
Name (under which you were convicted):		Docket or (	Case No:
Steven Lawrence Hawkin	S		100 48 - LMR-1
Place of Confinement: FCC Petershire	(camp)	Prisoner No.:	LOC 10 - CIVIN
P.O. Box loco, Petersburg, VA 238	04	77520-08	3
UNITED STATES OF AMERICA		ant ( <u>include</u> n <mark>ame under v</mark>	
v.	Steven	Laurence	Hawkin S
MC	OTION		
(a) Name and location of court that entered t	he judgment o	conviction you are	challenging:
U.S. District Court, Eastern District	of Vicgini	401 Courthan	50 5000
Alexandria, Viciginia 22314-	5798	) — CHICK	Javare Javare
(b) Criminal docket or case number (if you less			
(b) Criminal docket or case number (if you kn	ow):	1-00048-LMB	-1
(a) Date of the judgment of conviction (if you l	know): Apri	15, 2011	
(b) Date of sentencing: July 8, 2011	·		
Length of sentence: 120 months,	Syears	Supervised co	02.50
Nature of crime (all counts): 21:841 (1)(a	) and 844	Cassia	Nielala
100 Grans or more of Heroin.	,	Conspiracy to	Distribute
18:9246VI) Possession of			
18:924(CXI) Possession of a firear	on in Fuch	because of a	Drug Trafficking
18:924(CXI) Possession of a firear	on in Fuch	because of a	Dang Traffick
	on in Fuch	because of a	Day Trafficking
	in Fuch	because of a	Day Traffick
(a) What was your plea? (Check one)  (1) Not guilty   (2) Guilty			
(a) What was your plea? (Check one)  (1) Not guilty □ (2) Guilty	<b>T</b> (3)	Nolo contendere (n	o contest) $\square$
(a) What was your plea? (Check one)  (1) Not guilty □ (2) Guilty  (b) If you entered a guilty plea to one count or in	(3)	Nolo contendere (n	o contest)
(a) What was your plea? (Check one)  (1) Not guilty (2) Guilty (b) If you entered a guilty plea to one count or in our indictment, what did you plead guilty to and	(3) ndictment, and	Nolo contendere (n a not guilty plea to	o contest) 🗆 another count
(a) What was your plea? (Check one)  (1) Not guilty (2) Guilty (b) If you entered a guilty plea to one count or in our indictment, what did you plead guilty to and	(3) ndictment, and	Nolo contendere (n a not guilty plea to	o contest) 🗆 another count
(a) What was your plea? (Check one)  (1) Not guilty   (2) Guilty  (b) If you entered a guilty plea to one count or in or indictment, what did you plead guilty to and  (Count 1) Conspices to histobute	m (3) ndictment, and what did you p	Nolo contendere (n a not guilty plea to lead not guilty to? _ cc_mare_of He	o contest) 🗆 another count
(a) What was your plea? (Check one)  (1) Not guilty (2) Guilty  (b) If you entered a guilty plea to one count or in or indictment, what did you plead guilty to and  (Count 1) Conspicacy to Distribute 1	m (3) ndictment, and what did you p	Nolo contendere (n a not guilty plea to lead not guilty to? _ cc_mare_of He	o contest) 🗆 another count
(a) What was your plea? (Check one) (1) Not guilty □ (2) Guilty	ndictment, and what did you p	Nolo contendere (n a not guilty plea to lead not guilty to?	o contest) 🗆 another count

			Page
Did you testify at a pretrial hearing, trial, or post-trial hearing?	Yes 🗅	No	9
Did you appeal from the judgment of conviction?	Yes 🗆	No	œ
If you did appeal, answer the following:			
(a) Name of court:			
(b) Docket or case number (if you know):			
(c) Result:			
(d) Date of result (if you know):			
(e) Citation to the case (if you know):		-	
		<del></del> -	*
(g) Did you file a petition for certiorari in the United States Supreme	Court?	Ves D	No 🖼
·	our v.	163 🗖	140 08-
-			
(3) Date of result (if you know):			
		<del></del>	
		-	
Other than the direct anneals listed shove have you proviously filed		•	
		ions,	
	y court?		
<del>-</del>			
	Did you appeal from the judgment of conviction?  If you did appeal, answer the following:  (a) Name of court:	Did you appeal from the judgment of conviction?  If you did appeal, answer the following:  (a) Name of court:  (b) Docket or case number (if you know):  (c) Result:  (d) Date of result (if you know):  (e) Citation to the case (if you know):  (f) Grounds raised:  (g) Did you file a petition for certiorari in the United States Supreme Court?  If "Yes," answer the following:  (1) Docket or case number (if you know):  (2) Result:  (3) Date of result (if you know):  (4) Citation to the case (if you know):  (5) Grounds raised:  (6) Grounds raised:  (7) Other than the direct appeals listed above, have you previously filed any other mot petitions, or applications concerning this judgment of conviction in any court?  Yes   No   (If your answer to Question 10 was "Yes," give the following information:  (a) (1) Name of court:  (2) Docket or case number (if you know):	Did you appeal from the judgment of conviction?  If you did appeal, answer the following:  (a) Name of court:  (b) Docket or case number (if you know):  (c) Result:  (d) Date of result (if you know):  (e) Citation to the case (if you know):  (f) Grounds raised:  (g) Did you file a petition for certiorari in the United States Supreme Court?  Yes □  If "Yes," answer the following:  (1) Docket or case number (if you know):  (2) Result:  (3) Date of result (if you know):  (4) Citation to the case (if you know):  (5) Grounds raised:  Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications concerning this judgment of conviction in any court?  Yes □ No   (f) your answer to Question 10 was "Yes," give the following information:  (a) (1) Name of court:  (2) Docket or case number (if you know):

	Page
(4) Nature of the proceeding:	
(5) Grounds raised:	
(6) Did you receive a hearing where evidence was given on your motion, petition, or	
application? Yes D No 🖎	
(7) Result:	_
(8) Date of result (if you know):	
If you filed any second motion, petition, or application, give the same information:	
(1) Name of court:	
(2) Docket or case number (if you know):	
(3) Date of filing (if you know):	
(4) Nature of the proceeding:	
(5) Grounds raised:	
(b) Grounds raised.	
,	
	······
(6) Did you receive a hearing where evidence was given on your motion, petition, or	
application? Yes D No 🔊	
(7) Result:	
(8) Date of result (if you know):	
Did you appeal to a federal appellate court having jurisdiction over the action taken on y	our
ion, petition, or application?	
(1) First petition: Yes D No 🔊	
(2) Second netition: Yes D. No 🗖	

	why you did not:
12.	For this motion, state every ground on which you claim that you are being held in violation of the
	Constitution, laws, or treaties of the United States. Attach additional pages if you have more
	than four grounds. State the facts supporting each ground.
GR	OUND ONE: Ineffective Assistance of Plea Coursel
(a) :	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
PI	ca Coursel, Jonathan Simms, failed to file any metions on my
Ьe	half. Counsel never discussed case concerning a Judge or Jury trial
0دن	e to plea begging. Counsel never comment is a surely of
<u>የ -                                   </u>	e to plea hearing. Coursel never researched a possible defense in the
e i	e. Counsel never obtained or presented all documents concerning the
<u> </u>	emist Reports. Coursel never filed band motion as requested Coursel never
<u>F</u> ull	
	y explained plea agreement. Counsel fulled to propose for trial. Failure to
ارک	Exclained plea agreement. Counsel failed to prepare for trial. Failure to
יעכ	ticiently investigate the case to be capable of recommending whether
771	g explained plea agreement. Counsel fulled to propose for trial. Failure to ficiently investigate the Couse to be Capable of recommending whether defendant should accept the plea, make counter offer to the plea.
771	ticiently investigate the case to be capable of recommending whether
Hu	defendant should accept the plea, make counter offer to the plea.
Hu	ticiently investigate the case to be capable of recommending whether
) D	defendant should accept the plea, make counter offer to the plea.
) D	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:
) D	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  I) If you appealed from the judgment of conviction, did you raise this issue?  Yes   No Y
) D	defendant should accept the plea, make courter offer to the plea.  irect Appeal of Ground One:  1) If you appealed from the judgment of conviction, did you raise this issue?
) D (:	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  I) If you appealed from the judgment of conviction, did you raise this issue?  Yes   No Y
) D (:	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  If you appealed from the judgment of conviction, did you raise this issue?  Yes \(\sigma\) No \(\sigma\)  If you did not raise this issue in your direct appeal, explain why:  st-Conviction Proceedings:
) D (:	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  I) If you appealed from the judgment of conviction, did you raise this issue?  Yes \(\sigma\) No \(\sigma\)
) Pc (12	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  I) If you appealed from the judgment of conviction, did you raise this issue?  Yes \( \subseteq \) No \( \subseteq \)  St-Conviction Proceedings:  1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes \( \subseteq \) No \( \subseteq \)
/ (3 (2 T:	defendant should accept the plea, make counter offer to the plea.  irect Appeal of Ground One:  I) If you appealed from the judgment of conviction, did you raise this issue?  Yes \( \text{No Y} \)  If you did not raise this issue in your direct appeal, explain why:  st-Conviction Proceedings:  Did you raise this issue in any post-conviction motion, petition, or application?  Yes \( \text{No Y} \)

Page 6

Date of th	case number (if you know):
	e court's decision: tach a copy of the court's opinion or order, if available):
(3) Did yo	receive a hearing on your motion, petition, or application?
Yes □	No □
	appeal from the denial of your motion, petition, or application?
	answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?
Yes 🗅	No 🗆 answer to Question (c)(4) is "Yes," state:
vaille allu	location of the court where the appeal was filed:
ocket or o	ase number (if you know):
	court's decision:
	ach a copy of the court's opinion or order, if available):
	nswer to Question (c)(4) or Question (c)(5) is "No," explain why you did not apposue:
	nswer to Question (c)(4) or Question (c)(5) is "No," explain why you did not apposue:
	•••
	•••
	•••
aise this is	•••
uise this is	Sue:
UND TW	Sue:
UND TW	Sue:  The feetive Assistance of Sentencing Counsel  facts (Do not argue or cite law. Just state the specific facts that support your classes of Sentencing facted to object to the Aprint Enhance.
UND TWo	Sue:  The fective Assistance of Sentencing Counsel  facts (Do not argue or cite law. Just state the specific facts that support your classes to the Aprint Enhance.  Associated to object to the Aprint Enhance.  According Sentencing Counsel Told waken never
UND TWO	Sue:  The fective Assistance of Sentencing Counsel  facts (Do not argue or cite law. Just state the specific facts that support your classes the sentencing facted to object to the 2point Enhance of the 2pt ficearm enhancement in the PST. The
UND TWO	Sue:  The flective Assistance of Sentencing Counsel  facts (Do not argue or cite law. Just state the specific facts that support your classes to sentencing failed to object to the 2point Enhance, acome during sentencing Counsel Todd worken never the 2pt ficeness enhancement in the PSI. The
UND TWO	Sue:  The fective Assistance of Sentencing Counsel  facts (Do not argue or cite law. Just state the specific facts that support your classes the sentencing facted to object to the 2point Enhance of the 2pt ficearm enhancement in the PST. The

	Page 7
(b) Direct Appeal of Ground Two:	
(1) If you appealed from the judgment of conviction, did you raise this issue?  Yes   No   No	
(2) If you did not raise this issue in your direct appeal, explain why:	
c) Post-Conviction Proceedings:	
(1) Did you raise this issue in any post-conviction motion, petition, or applicati	on?
(2) If your answer to Question (c)(1) is "Yes," state:	
Type of motion or petition:	
Name and location of the court where the motion or petition was filed:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	· · · · · · · · · · · · · · · · · · ·
(3) Did you receive a hearing on your motion, petition, or application?	
Yes 🗆 No 🗅	
(4) Did you appeal from the denial of your motion, petition, or application?  Yes  No  O	
(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appearance of No □	al?
(6) If your answer to Question (c)(4) is "Yes," state:	
Name and location of the court where the appeal was filed:	
Docket or case number (if you know):	
Date of the court's decision:	

(	7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal (
	aise this issue:
_	
_	
_	
_	
_	
GRO	aguy required under 21 US. E.S. 8516).
ام	oquy required under 21 US.C.S. 851(b).
a) Si	apporting facts (Do not argue or cite law. Just state the specific facts that support your claim.
_b.	cing defendants hearing there was no inquiring to the
def	endant or Coursel whether defendant affirms or devices that
	to show a control or will a strict of center that
	has been previously convicted as alleged in the information.
	ect Appeal of Ground Three:
(1)	If you appealed from the judgment of conviction, did you raise this issue?
	Yes 🗅 No 🖼
(2)	If you did not raise this issue in your direct appeal, explain why:
	orpidin will.
Post	-Conviction Proceedings:
(1) ]	Oid you raise this issue in any post-conviction motion, petition, or application?
	Yes Q No W
	f your answer to Question (c)(1) is "Yes," state:
12b	of motion or petition:
Nan	e and location of the court where the motion or petition was filed:
Doct	et or case number (if you brown).
DOC!	et or case number (if you know):
Date	of the court's decision:

i) Did you receive a hearing on your motion, petition, or application?  Yes O No O  ) Did you appeal from the denial of your motion, petition, or application?  Yes O No O  ) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?  Yes O No O  ) If your answer to Question (c)(4) is "Yes," state:  ame and location of the court where the appeal was filed:  pocket or case number (if you know):  tee of the court's decision:  sult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:  ND FOUR:  Deporting facts (Do not argue or cite law. Just state the specific facts that support your clain	Result (att	ich a copy of the cou	rt's opinion	or order,	if availab	ıle):		
Yes   No								
Yes   No	(2) Did	vassius a bassius as						
Did you appeal from the denial of your motion, petition, or application?  Yes			. your motioi	ın, pennor	n, or appi	ication?		
Yes  No  Sign No  No  Sign No				. •		••	_	
If your answer to Question (c)(4) is "Yes," did you raise this issue in the appeal?  Yes No			iai of your m	notion, pe	etition, or	applicati	on?	
Yes \( \text{No } \square \)  If your answer to Question (c)(4) is "Yes," state:  ame and location of the court where the appeal was filed:  ocket or case number (if you know):  ate of the court's decision:  esult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:  IND FOUR:								
If your answer to Question (c)(4) is "Yes," state:  ame and location of the court where the appeal was filed:  ocket or case number (if you know):  ate of the court's decision:  esult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:			:)(4) is "Yes,'	," did you i	raise this	issue in	the appeal	!?
ame and location of the court where the appeal was filed:			\					
ocket or case number (if you know):  ate of the court's decision:  sult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:  ND FOUR:								
ocket or case number (if you know):  ate of the court's decision:  sult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:  ND FOUR:	Name and I				filed:	<del></del>		<del></del>
sult (attach a copy of the court's opinion or order, if available):  If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:	Docket or ca	•					**	-
If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:								
If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appearse this issue:  ND FOUR:	Result (atta	h a copy of the cour	's opinion or	r order if	f availahle	٠)٠		
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opporting facts (Do not argue or cite law. Just state the specific facts that support your clai	OUND FOU	R:	<del></del>					
	Supporting fa	cts (Do not argue or	cite law. Ju	ust state t	the specifi	c facts th	at support	your clai
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		Andrews						<del></del>
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			,					<del></del>
	·							

	Page 1
<ul> <li>b) Direct Appeal of Ground Four:</li> <li>(1) If you appealed from the judgment of conviction, did you raise this issue?</li> <li>Yes □ No ☑</li> </ul>	
(2) If you did not raise this issue in your direct appeal, explain why:	
c) Post-Conviction Proceedings:	
(1) Did you raise this issue in any post-conviction motion, petition, or application.  Yes □ No ☑	on?
(2) If your answer to Question (c)(1) is "Yes," state:	
Type of motion or petition:	
Name and location of the court where the motion or petition was filed:	
Docket or case number (if you know):	
Date of the court's decision:	
Result (attach a copy of the court's opinion or order, if available):	
(3) Did you receive a hearing on your motion, petition, or application?	
(3) Did you receive a hearing on your motion, petition, or application?  Yes  No	
(3) Did you receive a hearing on your motion, petition, or application?  Yes □ No □  (4) Did you appeal from the denial of your motion, petition, or application?  Yes □ No □	
<ul> <li>(3) Did you receive a hearing on your motion, petition, or application?</li> <li>Yes □ No □</li> <li>(4) Did you appeal from the denial of your motion, petition, or application?</li> </ul>	al?
<ul> <li>(3) Did you receive a hearing on your motion, petition, or application?  Yes □ No □</li> <li>(4) Did you appeal from the denial of your motion, petition, or application?  Yes □ No □</li> <li>(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appearance.</li> </ul>	al?
<ul> <li>(3) Did you receive a hearing on your motion, petition, or application?  Yes □ No □</li> <li>(4) Did you appeal from the denial of your motion, petition, or application?  Yes □ No □</li> <li>(5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appearance of the property of the pro</li></ul>	
(3) Did you receive a hearing on your motion, petition, or application?  Yes \( \text{No} \) \( \text{No} \) \( \text{Constant} \)  (4) Did you appeal from the denial of your motion, petition, or application?  Yes \( \text{No} \) \( \text{No} \) \( Did your answer to Question (c)(4) is "Yes," did you raise this issue in the appearance of the your answer to Question (c)(4) is "Yes," state:  Name and location of the court where the appeal was filed:	
(3) Did you receive a hearing on your motion, petition, or application?  Yes □ No □  (4) Did you appeal from the denial of your motion, petition, or application?  Yes □ No □  (5) If your answer to Question (c)(4) is "Yes," did you raise this issue in the appearance of the your answer to Question (c)(4) is "Yes," state:  Name and location of the court where the appeal was filed:	

	Page 11
	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or
	raise this issue:
	Is there any ground in this motion that you have <u>not</u> previously presented in some federal court?
	If so, which ground or grounds have not been presented, and state your reasons for not
	presenting them:
	presenting them.
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1	Oo you have any motion, petition, or appeal <u>now pending</u> (filed and not decided yet) in any court
	or the judgment you are challenging? Yes O No O
f	or the judgment you are challenging? Yes D No 🖭
f	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f	or the judgment you are challenging? Yes D No 🖭
f	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f I -	or the judgment you are challenging? Yes No W  f "Yes," state the name and location of the court, the docket or case number, the type of roceeding, and the issues raised.
f I -	or the judgment you are challenging? Yes No W  f "Yes," state the name and location of the court, the docket or case number, the type of roceeding, and the issues raised.
f I P	or the judgment you are challenging? Yes No Professional No Professiona No Professiona No Professiona No Profe
f I p - - G	or the judgment you are challenging? Yes No W  f "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.  ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:
f I F GG 51 (8	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  (At preliminary hearing: William Todd westson Hier of the type of the Pilic
f I p G G G G	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  At preliminary hearing:   W: II. a. Todd wedson Africa of the P. II. a. Todd wedson Africa of the P. II. a. teacher (Alexandria) 1650 King St., Svile Son, Alexandria, VA 22314
f I r G	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  (At preliminary hearing: William Todd westson Alexandria, VA 22314  At arraignment and plea: Accaignment - William Todd wastson
	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  At preliminary hearing: William Todd westson Africa of the Public effecter (Alexandria) 1650 King St, Swife Sox, Alexandria, VA 22314  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  Bear Donathan Ashley Simms (Simms Harris PUC) 11325 Rendom Hills Rend, Fairfax VA
f I F G si (a A C)	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  (At preliminary hearing: William Todd westson Alexandria, VA 22314  At arraignment and plea: Accaignment - William Todd wastson
f I I I I I I I I I I I I I I I I I I I	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  At preliminary hearing:   William Todd watson Africa of the P. W. Attaraignment and plea: Accaignment - William Todd watson  At trial:   MA  At trial:   MA  No W  No W
f I I I I I I I I I I I I I I I I I I I	ive the name and address, if known, of each attorney who represented you in the following ages of the judgment you are challenging:  At preliminary hearing: William Todd westson Africa of the Public effecter (Alexandria) 1650 King St, Swife Sox, Alexandria, VA 22314  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  At arraignment and plea: Accaignment - William Todd wastson  Bear Donathan Ashley Simms (Simms Harris PUC) 11325 Rendom Hills Rend, Fairfax VA

	(e) On appeal:
	(f) In any post-conviction proceeding:
	(g) On appeal from any ruling against you in a post-conviction proceeding:
6.	Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? Yes O No V
.7.	Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes O No 65
	(a) If so, give name and location of court that imposed the other sentence you will serve in the future:
	(b) Give the date the other sentence was imposed:  (c) Give the length of the other sentence:  (d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future? Yes \(\sigma\) No \(\sigma\)

18.	TIMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you
	must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not
	bar your motion.* my filing of this motion is Timely
	Tiled. The date of this case being Terminated is
	7/08/2011. The day I was Sentenced. I have no
	Tiled. The date of this case being Terminated is  7/08/2011. The day I was Sentenced. I have no other plendings or filings in any ather Court.
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<sup>\*</sup> The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of —

<sup>(1)</sup> the date on which the judgment of conviction became final;

<sup>(2)</sup> the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action:

<sup>(3)</sup> the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

<sup>(4)</sup> the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

	Page 1
Therefore, movant asks that the Court grant the	following relief: Allow Movert to
withdraw his Plan NacAte / Set asid	& Seatence Air Whatever colof
do I fil to the Contract	e Senkree Aib whatever cellef
on any other velief to which movement may be entitle	13 appreprate.
or any other relief to which movant may be entitle	ea.
	Signature of Attorney (if any)
I declare (or certify, verify, or state) under penalty	
and that this Motion under 28 U.S.C. § 2255 was ]	placed in the prison mailing system on 5014
5, 2012 (month, date, year).	J
·	
Executed (signed) on Suly 5, 2012 (da	te).
	01 (1)
	DA ST
	Signature of Movant
If the person signing is not movant, state relationsh	nip to movant and explain why movant is not
signing this motion.	
IN FORMA PAUPER	IS DECLARATION
U.S. District Cour	
	(

[Insert appropriate court]